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June 26, 2008

County Counsel
Stephen Raab, Esq.
3501 Civic Center Drive, Room 303
San Rafael, CA 94903

Re: Karl L. Finley v. County of Marin, et al.
U.S. District Court, Northern District of CA Case No. C 07-05922 TEH

Dear Mr. Raab:

I received your two letters dated June 17, 2008. As I have explained repeatedly, the waiver issue applies to all of your objections. Your insistence on discussing each of your objections is a farce because it is undisputed that "Ms. Daube's" objections are untimely. I have provided you with a proof of service confirming this fact.

Even if your objections were timely, they are boilerplate and frivolous. By your own admission, you have not provided a privilege log. As such, it is impossible to determine whether any of the documents withheld truly constitute work product. Further, you continue to maintain that plaintiff's subpoena and request for documents is harassing and constitutes bad faith because she is a "solo-practicing attorney." This is nonsensical. You and Ms. Daube have had more than two months to prepare for her deposition and gather responsive documents. I even offered an extension which you ignored. Frankly, I fail to see how her status as a "solo-practicing attorney" is relevant. I remind you that it is your burden to support your objections. It is clear now that you are unable to do so. Instead, you prefer to rely on your self-serving letters, avoid any rebuttal to the waiver issue, and refuse to justify any of your objections.

I believe I have been more than patient. Please let me know whether you change your position. Otherwise, my office will proceed with a motion to compel.

Very truly yours,

KAHN BROWN & POORE LLP



Scott A. Brown